

Application/Control Number: 10/702,154
Art Unit: 2654

Docket No.: 1999-0394-CON

REMARKS

Reconsideration and allowance are requested. Claims 2, 7 and 12 are amended. No new matter is added.

Rejection of Claims 2, 4, 7 - 10, 12 and 14 Under Section 112

The Examiner rejects claims 2, 4, 7 - 10, 12 and 14 under section 112. Applicants have amended claims 2, 7 and 12 to correct this problem. Accordingly, Applicants request withdrawal of this rejection.

Rejection of Claims 1 - 15 Under Double Patenting

Applicants enclose herewith a terminal disclaimer to overcome this double patenting rejection and therefore request withdrawal of the rejection.

Rejection of Claims 1, 3, 5, 6, 11, 13 and 15 Under Section 102

The Examiner rejects claims 1, 3, 5, 6, 11, 13 and 15 under section 102 for being anticipated by U.S. Pat. No. 6,163,769 to Acero et al. ("Acero et al."). Applicants traverse this rejection and submit that these claims are patentable over Acero et al.

Regarding claim 1, the Examiner asserts that col. 5, lines 1 - 24 of Acero et al. teach the step of selecting a triphone sequence by discussing recording speech stored on a memory device such that a side range of different phonetic samples that illustrate phonemes of various contexts may be recorded. Applicants submit that Acero et al. do not teach the step of selecting a triphone sequence. In this portion of Acero et al., they talk about obtaining a wide range of different phonetic samples not by doing anything related to selecting a triphone sequence but by "includ[ing] a sufficient number of sentences and/or phrases, for example, 1000 sentences, to provide frequent tonal patterns and natural speech and to provide a wide range of different phonetic samples that illustrate phonemes in various contexts." Col. 5, lines 8 - 13. The storage of the 1000 sentences may be done in different ways but Applicants submit that the characterization of utilizing a large number of sentences and phrases to obtain

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a “wide range” of samples does not equate to teaching the step of “selecting a triphone sequence.”

The Examiner equates col. 5, lines 38 - 54 as teaching the step of calculating a preselection cost for each 5-phoneme sequence. However, this portion of Acero et al. only teaches that if training data permits, “one can further model quinphones (a phoneme with its two immediate preceding and succeeding phonemes as the context).” Col. 5, lines 44 - 58. Now, while this references a phoneme string of five phonemes - it does not teach anything regarding calculating a preselection cost for each 5-phoneme sequence $u_a - u_1 - u_2 - u_3 - u_b$, where u_2 is allowed to match any identically labeled phoneme in a database and the units u_a and u_b vary over the entire phoneme universe. The only reference in Acero et al. is to the possibility of modeling a quinphone if training data is available. Accordingly, this limitation is not taught or suggested by Acero et al.

Since Acero et al. fail to teaching anything regarding calculating the preselection cost, they further fail in col. 5, line 55 - col. 6, line 15 to each storing a group of the selected triphone sequences existing the lowest costs in a triphone selection cost database. Applicants respectfully submit that it is fairly clear that the particular approach set forth in claim 1 is not taught by Acero et al. Accordingly, Applicants submit that claim 1 is patentable and in condition for allowance.

Claims 3 and 5 depend from claim 1 and recite further limitations therefrom. Accordingly, since the parent claim is patentable, Applicants submit that claims 3 and 5 are patentable as well.

Claims 6, 11, 13 and 15 are patentable for the same reasons set forth above.

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CONCLUSION

Having addressed the rejection of claims, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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By: /Thomas M. Isaacson/

Correspondence Address:
Customer No. 26652
AT&T Corp.
Room 2A-207
One AT&T Way
Bedminster, NJ 07921

Thomas M. Isaacson
Attorney for Applicants
Reg. No. 44,166
Phone: 410-414-3056
Fax No.: 410-510-1433